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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 ROBERT ALLEN POOLEY,
16 Defendant.

CASE NO. 2:21-CR-00111 WBS
GOVERNMENT'S PROPOSED STATEMENT OF
THE CASE
DATE: May 15, 2024
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

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18 The defendant, Robert Pooley, is charged with four counts of Wire Fraud and two counts of
19 Aggravated Identity Theft. The government alleges that the defendant, while working at Lodi Parachute
20 Center, falsely held himself out to be a tandem skydiving Examiner. A tandem skydiving Examiner is a
21 person certified to teach courses to skydivers that qualify them to become Tandem Instructors who can
22 perform tandem skydives with members of the public. The government alleges that as a result of Pooley
23 falsely giving the impression he was a certified Examiner, skydivers paid him to take his courses,
24 believing they would become certified Tandem Instructors as a result of those courses. In reality, the
25 government alleges, the defendant's Examiner ratings were suspended, so he had no ability to award
26 Tandem Instructor credentials, or "ratings," to those who took his tandem skydiving courses. To avoid
27 detection, the government alleges, Pooley used the name and preprinted signature of another Examiner
28 on the certification paperwork. Ultimately, the government alleges, the fraud was detected. The

1 government alleges that skydivers who had paid Pooley money to take his course while his rating was
2 suspended did not become Tandem Instructors, or had to pay more money to retrain with another
3 Examiner to become Tandem Instructors. Each of the four Wire Fraud counts concern, the government
4 alleges, emails which were foreseeably sent in furtherance of the defendant's fraud scheme. With
5 respect to the Aggravated Identity Theft counts, the government alleges that, by using the signature of
6 another Examiner, Pooley unlawfully used the means of identification of another during and in relation
7 to the crime of wire fraud.

8 The defendant has pleaded not guilty to all charges. Charges against the defendant are merely
9 allegations and do not constitute proof.¹

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11 Dated: May 6, 2024

PHILLIP A. TALBERT
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13 /s/ DHRUV M. SHARMA
14 KATHERINE T. LYDON
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27 ¹ The Court has also asked for a more developed version of this statement, including a discussion
28 of the elements of the charges. The government has submitted such a version as Jury Instruction No. 2 in
its Proposed Jury Instructions filed concurrently herewith.